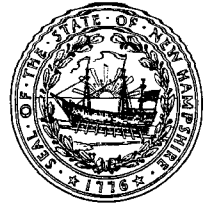




The State of New Hampshire
Department of Environmental Services



Michael P. Nolin
Commissioner

April 18, 2006

CERTIFIED MAIL # 7000 0600 0023 9933 9702
RETURN RECEIPT REQUESTED

Leter of Deficiency
No. WMD-06-010

Kevin A. Roy, Division Manager
North Country Environmental Services, Inc.
P.O. Box 9
Bethlehem, NH 03574

**SUBJECT: Compliance Deficiencies - North Country Environmental Services,
Bethlehem, New Hampshire, DES-SW-SP-03-002**

Dear Mr. Roy:

On March 28, 2006 New Hampshire Department of Environmental Services (DES), Waste Management Division ("Department") received a complaint regarding the operations of North Country Environmental Services (NCES) in Bethlehem, New Hampshire during the period of November 28, 2005 through January 6, 2006.

Following a review of the complaint, the Department has determined that the following constitute compliance deficiencies:

1. Waste haulers were parking on Trudeau Road and Route 3 prior to the opening of the Facility in violation of Env-Sw 1004.02 (c) of the New Hampshire Solid Waste Rules (Rules) and Appendix A, "Rules and Regulations For Facility Use" of the Facility Operating Plan.
2. The Facility's access gate was being left open outside of operating hours in violation of Env-Sw 1103.03 (c) of the (Rules) and Section 3.2 of the Facility Operating Plan.

This letter serves to inform you that from observations and information obtained during the inspection, facility conditions constitute violations of RSA 149-M and the (Rules) adopted pursuant thereto, specifically:

- | | |
|--------------------|--|
| Env-Sw 1004.02 (c) | Adequate on-site area at the facilities entrance and exit points shall be provided to allow the number and types of waiting vehicles expected to use the facility during peak times to safely queue off the public road(s) and right-of-way. |
| Env-Sw 1103.03 (c) | The lawful access points to the facility shall be secured by locked gates or the equivalent during times when the facility operator is not present. |

The Department believes that the cited deficiencies may be corrected by completing the following requested actions within the time indicated:

1. **Within 14 days of** the date of this letter, the Facility will submit a methodology and timetable for achieving compliance with Env-Sw 1004.02 (c) of the Rules.
2. **Upon receipt** of this letter, all lawful access points to the facility shall be secured by locked gates or the equivalent during times when the facility operator is not present, in accordance with Env-Sw 1103.03 (c) of the Rules.

Please address all correspondence regarding this matter to:

Wayne Wheeler, P.E.
Department of Environmental Services
P.O. Box 95
Concord, NH 03302-0095
Fax : (603) 271-2456

In the event each compliance action is not achieved within the time period indicated above, the Department may initiate formal enforcement action against the facility including issuing an order requiring the deficiencies to be corrected and/or referring the matter to the New Hampshire Department of Justice for imposition of civil and/or criminal penalties. The Department reserves the right to pursue administrative fines for the violation(s) of the above.

Your prompt cooperation is appreciated. Please contact Wayne Wheeler, P.E. of the Solid Waste Management Bureau at 271-5185, if you have any questions or need further assistance.

Sincerely,



COPY

Michael E. Guilfooy, P.E.
Administrator
Solid Waste Management Bureau
Tel: (603) 271-2925
Fax: (603) 271-2456
E-Mail: mguilfooy@des.state.nh.us

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cc: Town of Bethlehem
Anthony P. Giunta, P.G., Director, WMD
Paul Heirtzler, Administrator, WMD
Gretchen R. Hamel, Legal Unit Administrator